


NH DEPARTMENT OF CORRECTIONS POLICY AND PROCEDURE DIRECTIVE		CHAPTER <u>Resident Programming</u> STATEMENT NUMBER <u>7.09</u>
SUBJECT: VISITING POLICY		EFFECTIVE DATE <u>10/15/2011</u>
PROPOSER: <u>Christopher Kench, Director</u> <i>Name/Title</i> <u>Commissioner's Office 271-5603</u> <i>Office Phone #</i>		REVIEW DATE <u>10/15/2012</u>
		SUPERSEDES PPD# <u>7.09 & 5.78</u>
		DATED <u>05/15/07 & 04/15/98</u>
ISSUING OFFICER:  <i>William Wrenn, Commissioner</i>		DIRECTOR'S INITIALS _____ DATE _____
		APPENDIX ATTACHED: YES _____ NO _____
REFERENCE NO: See reference section on last page of PPD.		

I. PURPOSE:

To establish a policy and procedure for secure, safe, orderly, manageable and pleasant inmate and business visitations and to implement COR 305.02 and COR 306.04 of the NH Code of Administrative Rules, (Attachment 1). Secondly, to foster relationships with family and community volunteers that will improve the opportunities for inmates to successfully reintegrate into the community.

II. APPLICABILITY:

To all inmates, staff and visitors at Department of Corrections' facilities

III. POLICY:

Visiting is a privilege. It is the policy of the Department of Corrections to provide time and facilities for inmate visitations in order to support and maintain relationships between inmates and significant people in their lives, and to be no more restrictive toward visitors than necessary for the security of the visitation, the welfare of the inmates and staff and to exclude contraband.

IV. PROCEDURE:A. Authorized Visits

- Each inmate is authorized two visits weekly. Visits from attorneys, clergy and other "official" visitors are not counted against this quota. Official visitors are any government or social service agency personnel within the scope of their official duties. During an individual's reception period, while in quarantine status, visits will not be allowed except for bonafide family emergencies approved in advance by the Warden.
- Incarcerated women who give birth will be authorized two additional visits per week with the newborn for eight-month post delivery. The visitor and inmate must meet all other criteria set forth in this policy. Visits are contingent upon the facilities ability to accommodate the visit.

B. Authorized Visitors

DOC staff must approve all visitors. Inmates will be authorized an unlimited number of

family members on their visiting list. Non-family members include those recognized in COR 305.02 (h), and grandchildren. All potential visitors will undergo a criminal records check. Inmates must provide a criminal records release authorization form (attachment 3) to all potential visitors 17 years of age or older. A visitor will not be added to an inmate's approved visiting list until the criminal release authorization form has been completed, notarized and a background check has been conducted. The inmate should attach the completed criminal record release authorization form to the inmate visitor request slip.

1. Visitors being taken off an inmate's list will be removed immediately and cannot be added to any inmate's visiting list for a one-year period.

C. Visiting Hours

Inmates are grouped depending on their status within each institution. Different groups have different visiting schedules. Visiting schedules are available on the NH DOC Web-site, through the Visiting Control Room and are posted in each unit. Attorneys may visit regardless of an inmate's shift. Clergy may visit on an inmate's off shift only.

D. COMMUNITY CORRECTIONS / TRANSITIONAL HOUSING UNITS (THU)

1. THU residents shall be authorized to have visits with approved visitors as outlined in the resident handbook. Visits shall not interfere with work, meetings, programming or house job responsibilities. Residents shall only participate in curfews, outings and approved absences with those persons on their approved visiting list.
2. THU residents who have had their visiting privileges suspended as a result of possession of drugs, whose urine test or alco-sensor is positive, or who refused to submit to a urine test, and was found guilty at a disciplinary hearing, will have their visiting privileges reinstated while residing at a THU. This exception is in effect only while the resident is residing at a transitional housing unit. Should a resident be returned to the prison from a transitional THU, their visiting restrictions will revert back to the status they were prior to their arrival at a THU.

E. Disciplinary Segregation

Disciplinary segregation is a period of time when all privileges are restricted because of a specific infraction of the rules. Inmates in disciplinary segregation are not allowed visitors at all. It is the inmate's responsibility to notify prospective visitors when they are in disciplinary segregation and that they are not permitted to have visitors while in this status.

F. Hospital Patients

When inmates are admitted to hospitals outside of the institutions or to the Prison infirmary, visits normally are curtailed or restricted for medical or security reasons. Visitation privileges may be granted with approval of the Warden:

1. Inmate Patients at Outside Hospitals: When an inmate has a life threatening injury/illness, the Warden may grant visits to outside hospitals consistent with the hospital's visiting policy and security regulations. All approvals will be accomplished in writing with copies to the hospital administrator and hospital security.
2. Inmate Patients at the Prison Health Care Center: Shift commanders may grant visits for all inmates after consultation with medical staff. Visits will take place in the visiting room unless visits in the Health Care Center are arranged and mandated by the health care staff.

G. Official Visitors

Official visitors (of or related to and representing at the visit a governmental office, post of authority, non-profit organization or other visitor approved by the Warden/designee) will be subject to the same approval process, rules and regulations as the inmate's regular visitors except:

1. The visit will not be counted against the inmate's allocation.
2. Background investigations may be waived for government entities visiting for a one time only issue with the approval of the Chief of Security.

All official visitors will be subject to the same rules and regulations as inmate visitors. The following procedures for business visitors will apply:

1. All official visitors will enter through the designated entrance at each facility. All visitors must sign the visitor's log and will be issued a visitor's badge to be worn on the left breast area of the outer garment.
 2. A picture identification (IDs need not be current) for the visitor and the name of the staff to be visited will be given to the officer on duty.
 3. The responsible staff member will escort all visitors while inside the secure perimeter.
- H. Inmate Eligibility to Have Visits
1. The inmate must be free of any bans on visiting.
 2. The inmate must not be in disciplinary segregation.
 3. The visit requested will be authorized only during those times established for the inmate's visiting.
 4. Inmates will only be allowed visits from approved persons on their visiting list.
- I. Visiting Lists
1. Inmates must request that a prospective visitor be placed on the approved visitor list. The inmate must request their prospective visitors complete the form authorizing the Department of Corrections to complete a criminal background check. The prospective visitor then returns the form to the inmate via US Mail. The inmate will then attach the form to the Visitor Request Slip for processing.
 2. As part of the visitor approval process, each prospective visitor must provide the full name, address, phone number, date of birth and identifying number (driver's license number, military ID number, state non-driver ID number). The inmate must certify that no court or parole board has ordered the inmate to refrain from contact with each prospective visitor. This information will be completed, so that it may be checked and verified, before the first visit. Children under 17 will only be required to furnish their date of birth.
 3. Visitors under the age of 17 shall not be permitted to visit unless accompanied by an adult who shall be a family member or guardian and on the inmate's visiting list. The behavior of visitors under the age of 17 is the joint responsibility of the inmate and visitor, and visits will be terminated if children are allowed to misbehave or become out of control. Although children are allowed in the visiting room, no toys are allowed. Empty, clear, plastic, baby bottles and a sealed package of formula will be permitted.
 4. Potential visitors with criminal records involving felony drug offenses within the last 10 years from date of conviction will not be allowed to visit.
 5. Potential visitors with criminal records involving misdemeanor drug offense within the last 5 years from date of conviction will not be allowed to visit.
 6. Potential visitors with pending drug related offenses (felony or misdemeanor) will be not allowed to visit.
 7. Potential visitors with a criminal history that resulted in confinement to a correctional facility for any offense within the last 5 years regardless of the duration of the confinement will not be permitted to visit.
 8. Potential visitors with any criminal record for non-drug related offenses within 1 year from date of the most recent criminal conviction will be not be permitted to visit.
 9. Potential visitors who are on probation/parole will not be granted visiting privileges without the written recommendation of the supervising Probation/Parole Officer and the written approval of the Warden. Consideration will be given for direct family members only (father, mother, sister, brother, child, spouse/civil union partner, aunts, uncles, grandparents, sister-in-law or brother-in-law).
 10. A visitor cannot appear on more than one inmate's approved visitor list unless the inmates are related to each other and the visitor is under the immediate family description.
 11. Current or former employees of the NHDOC or any other confinement facility may visit incarcerated immediate family members upon written request and approval by the Warden/designee of the institution housing the inmate.

12. The visitor will be given a copy of the Guidelines for Visitation upon request.
13. No item whatsoever may be passed between the inmate and the visitor or the visitor and the inmate. Legal material is exempt from this during attorney visits as noted in section L. If advance approval has been obtained, approved items may be exchanged by handing them first to the visiting room officer for inspection.
14. Visitors should dress appropriately when visiting so as not to distract from the family atmosphere in the visiting room; clothing similar in appearance to inmate clothing is prohibited. No one wearing provocative or revealing clothing will be allowed access to the visiting room. Good judgment and consistency of enforcement are the rule. Clothing that promotes sex, drugs, alcohol or violence will not be allowed.
15. The inmate is responsible for providing the prospective visitors with information regarding the day and time they are allowed to receive visits.
16. The inmate will receive a copy of "The Visitor's Guide" during the intake process at the institution. The inmate may send a copy of this guide to prospective visitors, after the inmate has confirmed that they have been added to their visitor list.
17. Exceptions to this policy may be made by a written appeal to the Warden. Any articulable risk to security will exclude a visitor.

J. Processing Visits

1. The attending officer will verify each potential visitor with the lists of approved visits for all visiting slots.
2. In addition, on weekday visiting slots, the attending officer will verify that the inmate to be visited is on their off-duty shift.
3. The visitor must present and surrender a valid photographic ID to the officer for the duration of the visit. Driver's license, non-driver ID, military ID and passport are the only forms of ID that are acceptable (IDs need not be current).
4. Visitors under the age of 17 will require a birth certificate as a form of ID and if not accompanied by the parent/guardian a notarized letter from the parent/guardian authorizing them to visit at the prison.
5. The visitor will complete the registration card before each visit.
6. The visitor must secure all items not allowed in the visiting room in their vehicle or in a waiting room locker (where available). The visitor assumes all risk and responsibility for items left in their vehicle or in a locker.
7. The attending officer must clear the visitor for entry by one of the following procedures:
 - a. Checked and cleared by metal detection equipment.
 - b. Physical search of a visitor's person by two or more officers of the same gender as the person being searched.
8. The attending officer coordinates with the visiting room officer to assure no overcrowding occurs. Visits will be admitted on a first-come-first-served basis. A maximum of three adult visitors may visit an inmate during any one visiting session.
9. All visitors of an inmate (including children) must be seated at the same table. Exceptions may be granted by the Shift commander if the number of inmate's children exceeds the seating capacity of a table and space allows.
10. Exceptions to Section IV, I may be granted by the Shift Commander when institutional and public safety is not compromised.

K. Special Visits

Special visits may be granted for infrequent visitors that do not warrant being on the inmate's visiting list. They must occur during the designated visiting schedule of the inmate unless extenuating circumstances warrant an exception. The Warden/designee may also grant special visits when one or more of the following circumstances exist:

1. Emergency family matters when the normal visit quota has been exhausted.
2. Visits of a highly compassionate nature that does not meet other visiting criteria.
3. Visits involving visitors who, due to extreme distance or other hardship, cannot meet visiting schedule constraints.

appearance could not have otherwise been planned or expected and where approval would be deemed in the interests of the inmate and the institution.

L. Attorneys and Clergy

Visits from verified members of the clergy and verified attorneys involved with an inmate's legal affairs will be admitted without regard to visiting lists and will not be counted against an inmate's visit quota. Clergy must complete an Official Visitor Registration (Attachment 2) to assure that the required background screening is completed prior to visiting. Attorneys wishing to visit inmates in quarantine status housed in R/D or SHU at NHSP/M and all inmates housed at NCF and NHSP/W must have requested an appointment 24 hours in advance. R & D inmates already cleared have regular access to the visiting room. Clergy must visit during the inmate's designated visiting schedule. Approved religious visitors, to include volunteers who resign or are terminated cannot be added to any inmate's visiting list for a one-year period. Exceptions are considered for immediate family members of a new inmate. Clergy will be verified through the Chaplain's office and attorneys will be verified by the use of the NH Bar Association membership book. Attorneys not representing an inmate will follow normal visiting procedures. Attorneys may give inspected legal material to the inmate during the visit. Inmates may bring a reasonable amount of inspected legal material into the visiting room. For more information, refer to PPD 5.17.

M. Media Visits

Members of the media may visit inmates with approval from the departmental Public Information Officer. Such individuals need not be on the inmate's visiting list. See PPD 1.13 for complete rules and procedures for media visits.

N. Conduct

1. Visitation is a privilege and not a right and violation of rules may result in termination of the visit, loss of the inmate's visiting privileges, banning of the visitor from entering the institution or its grounds and/or criminal charges as circumstances warrant. Inmates and their visitors will comply with the following:
 - a. The instructions and requests of the visiting room officer(s).
 - b. Unauthorized items may not be brought to the visiting room by either party.
 - c. The following items are allowed:
 - 1) Health aids required for the well-being of the visitor e.g. oxygen tank or wheel chair.
 - 2) Handkerchief.
 - 3) Coins for vending machines of no more than \$20.00. (Inmates are not allowed to use the vending machine or use coins in any manner.)
 - 3) Any medication deemed necessary for the health of the visitor during the visit must be submitted for inspection and approval prior to admission to the visiting room.
 - 3) Religious material in the possession of clergy or religious teachers who have advanced written permission from the institution chaplain.
 - d. Physical contact and displays of affection will be kept within bounds of decorum with hugging and kissing allowed only at start and end of visits for 15 seconds or less. Holding hands in plain view is allowed during the visit. Physical contact with children under 16 years of age is permitted in accordance with COR 305.02 q. 1.
 - e. Loud and boisterous behavior is forbidden
 - f. Vulgar language or behavior is forbidden.
 - g. Management of the behavior of minor children must preserve an atmosphere conducive to the visiting of others.
 - h. No smoking or tobacco products are allowed on prison grounds.
 - i. All visitors must sign in on the visitor's log.
2. Any time a visit is terminated for cause or admittance is denied, a written report of the circumstances will be submitted to the Shift Commander by the end of the shift.

O. Security

Everyone on prison grounds, regardless of whether they are staff, inmates, visitors or in some other category, is subject to search without warning, of their vehicles, possessions and persons. This is necessary to preclude introduction of weapons, ammunition, explosives, alcohol, escape devices, drugs, drug paraphernalia, tobacco, or other forbidden items or contraband into the prison environment.

P. Contraband

DOC promotes a drug free environment. A drug free environment is essential to rehabilitation and a safe institution. New Hampshire Statute RSA 622:24 states: "Regulations: No person shall deliver or procure to be delivered or have in his possession with intent to deliver to a prisoner confined in the State Prison, or deposit or conceal in or about the prison, or in any building or upon any land appurtenant thereto, or in any vehicle entering the premises belonging to the prison, any article with intent that a prisoner shall receive or obtain it, or receive from a prisoner any article contrary to the rules and regulations established by the Commissioner of Corrections and without the knowledge and permission of the Commissioner of Corrections." DOC will seek criminal prosecution of those violating this statute. If it can be proven that a specific visitor brought contraband into the prison, that visitor may be barred in accordance with COR 305.04 and prosecuted in accordance with RSA 622:24.

Q. Non-Contact Visits

1. The Warden may place a visitor on a non-contact visitation status for the safe and secure operation of the institution. Visitors placed on non-contact visitation status may have their status reviewed every six months.
Any inmate who pleads guilty or has been found guilty of a disciplinary report for one or more of the following reasons will be subject to non-contact visits:
 - a. Possession of any drug or drug paraphernalia. (27A)
 - b. Producing a positive or adulterated urine sample. (30A or 30.1A)
 - c. Refusal or substantial delay to provide a urine sample. (30A)
 - d. Introduction of contraband into the institution. (27A)
 - e. Any major rule violation that occurs in the visitation area
2. After disciplinary sanctions restricting all visitations (initial 30-day period) are complete, non-contact visits will be in effect for the remainder of the one year period. Non-contact visits with immediate family members will need to be scheduled in advance by sending a request slip to the visiting room OIC at least one week in advance. Visits will be based on the availability of the non-contact area and these visits will be conducted on the inmate's scheduled unit's visiting days only. Exceptions will be permitted with the Shift Commander's approval. Each inmate will be permitted one visit a week pending approval of request slips and visitors. These visits will be for a one- hour timeframe and are limited to two approved visitors including children.
3. All other visitors are still barred for a one year period. After the one-year period is completed, the inmate must request in writing to the Warden stating why regular visits should be reinstated. The reply will be issued within 30 days.
4. Visitors and inmates will still follow all previous policies still in effect.
5. The following rules apply to non-contact visits:
 - a. If the inmate or visitor needs to leave for any reason, the visit will be terminated.
 - b. Once a visitor is processed at the front door, they will be escorted to and from the non-contact area by an officer and will sit at the assigned numbered table.
 - c. Inmates will be patted down first, and then escorted from the door of the visiting room to their visit in the non-contact room.
 - d. All inmates will be stripped after any visit no matter the duration.
 - e. When the visit is complete, the visitor will be escorted back.
 - f. All non-contact areas will be searched before and after each visit to inspect for contraband or damage to the area. All inmates or visitors will be held responsible for damage to the area.

- g. All visiting room OICS will be responsible for obtaining a list of non-contact visits that day and provide a copy to all officers on duty.
 - h. Non-contact visits will be processed first so that visits will commence in a timely manner.
 - i. Visitors for non-contact inmates will not be permitted if they are 30 or more minutes late regardless of conditions.
 - j. No food or drink will be allowed in this area at any time.
- R. Marriage
Premarital/pre-civil union counseling sessions and weddings/legal civil union ceremonies (PPD 7.13) are part of the visiting program. If the inmate has lost visiting privileges through disciplinary actions, the sanction must be served before eligibility for premarital/pre-civil union counseling can occur.

REFERENCES:

Standards for the Administration of Correctional Agencies

Second Edition Standards

2-CO-5D-01

Standards for Adult Correctional Institutions

Fourth Edition Standards

4-4498 thru 4500; 4-4501; 4-4503

Standards for Adult Community Residential Services

Fourth Edition Standards

4-ACRS-5A-17 thru 5A-18; 4-ACRS-5A-23

Standards for Adult Probation and Parole Field Services

Third Edition Standards

Other

NH RSA 622:24

PPD 7.13 Resident Marriage Request Procedure

KENCH/pf

Attachments

Cor 305.02 Access to Departmental Facilities for the Purpose of Visiting Inmates and Patients.

- (a) Persons confined in departmental facilities may receive visits on a schedule established by their facility as outlined in departmental policy and procedure directive 7.09.
- (b) Visits may be conducted as contact visits, meaning that inmates or patients and visitors sit together without any barriers between them.
- (c) Non-contact visits shall occur when:
- (1) Contact visiting would enhance the likelihood of contraband being introduced; or
 - (2) The department's investigations bureau or the facility's chief of security has evidence from a credible source that a disruptive incident might occur.
- (d) Visits shall be denied or restricted when:
- (1) Security or safety is jeopardized; or
 - (2) When visitation by specific individuals would be detrimental to the mental health interests of the inmate or patient involved as determined and documented by the SPU mental health treatment team or treating psychiatrist.
- (e) Space shall be set aside for attorney visits that provide privacy where attorney-client confidentiality can be maintained. Attorney visits shall occur during normal business hours.
- (f) The chief administrator of each facility shall assure that a list of individuals approved to visit each inmate or patient is maintained. Attorneys who wish to visit an inmate or patient in a personal capacity shall be on the inmate or patient's list of approved visitors. In order to apply for approval for visitation the individual's name, address, telephone number, relationship and date of birth shall be submitted by the inmate or patient for approval. The department shall conduct a national crime information center criminal background check after receipt of a signed and notarized consent form from the proposed visitor. A visitor shall not be listed on more than one inmate or patient's approved list unless he or she is a member of the immediate family of each inmate and patient.
- (g) There shall be no limit on the number of members of an inmate or patient's immediate family who can be approved to visit.
- (h) For the purpose of (g) above, immediate family shall include:
- (1) Husband;
 - (2) Wife;
 - (3) Children, either natural, adoptive or step;
 - (4) Mother, either natural, adoptive or step;
 - (5) Father either natural, adoptive or step;
 - (6) Grandparents either natural, adoptive or step;
 - (7) Brothers either natural, adoptive or step;
 - (8) Sisters either natural, adoptive or step;
 - (9) Aunts;
 - (10) Uncles;
 - (11) Brother's spouse;
 - (12) Sister's spouse, and

(13) Legal civil union partners.

(i) A maximum of 20 visitors outside the immediate family shall be approved to visit. At the inmate or patient's request these persons shall be taken off the approved list and replaced with another approved visitor. Any such visitor removed from the approved list shall not be placed on any other inmate or patient's list of approved visitors for a period of 12 months.

(j) Visitors shall not visit inmates or patients hospitalized in the community unless the inmate or patient is affected with a life threatening illness or injury as verified by the treating physician.

(k) Adult visitors shall establish their identity by presenting a photographic identification document issued by a government agency such as a driver's license, military identification card, passport or similar document. Each visitor shall personally surrender this identification document to the security officer prior to entry into the facility for visiting and shall personally recover the identification document from the officer upon departure from the facility. Children under 17 shall not be required to have a photographic identification card to visit. Child visitors shall establish their identity by presenting a birth certificate issued and authenticated by an appropriate government entity.

(l) Children under 17 shall not be permitted to visit unless accompanied by an adult who shall be a family member, guardian, or other person who shall demonstrate in writing that the minor has permission to visit from an adult who is responsible for the child such as a parent, guardian or family member.

(m) All visitors shall consent to a search of their persons, possessions and vehicle, if the vehicle is on departmental property or remove themselves from departmental property. Visitors shall not introduce anywhere on or within departmental property any items identified as contraband and restricted in Cor 306.01. Visitors shall not introduce items not authorized within the secure confines of a facility. Such items shall be secured in their vehicles or in the small lockers provided outside the visiting room prior to visiting. Visitors found to possess contraband contrary to law shall be reported to law enforcement authorities for possible prosecution and shall be barred from entry in accordance with Cor 305.04.

(n) Each visitor shall obey the orders and instructions furnished by the facility staff. Failure to do so shall result in termination of the visit and possible debarment pursuant to Cor 305.04.

(o) Persons convicted or under present indictment for a misdemeanor or felony in any jurisdiction shall not visit any resident without first obtaining written permission from the commissioner of corrections, or his designee pursuant to Cor 200.

(p) No visitor shall give, convey or leave any item or thing to an inmate or patient without advance approval of the administrator of the facility or his designee pursuant to Cor 200.

(q) Each visitor shall conform to the rules regarding visiting in the specific facility visited which include the following:

(1) Displays of affection such as hugging, kissing and embracing shall be limited to short durations, 15 seconds or less at the beginning and end of visits. No bodily contact, except for handholding, shall be permitted during visiting for visitors above the age of 16;

(2) Abusive, obscene or vulgar language shall not be used on the facility grounds;

(3) Small children shall be restrained from disruptive behavior by the visitor responsible for them;

(4) Disruptive behavior on the part of adults or children shall result in the termination of the visit; and

(5) Refusal to follow instructions of the persons in charge of visiting shall result in the termination of the visit.

(r) Each visitor shall conform to the rules regarding a visitor's attire while visiting in the facility which include without being limited to the following:

(1) Jackets, coats or outer sweaters shall not be taken into the visiting room; and

(2) Garments that expose the breasts, the midriff, the upper thighs or buttocks or the genitalia shall not be allowed.

Source. (See Revision Note at chapter heading for Cor 300) #7448, eff 2-6-01; ss by #9383, INTERIM, eff 2-3-09, EXPIRES: 8-3-09; ss by #9508, eff 7-8-09

Cor 305.03 Visitor Requirement to Follow Rules. All visitors who visit, or go on, or cross the grounds of a facility or area under the control of the department shall be subject to the rules established in Cor 305. Failure to follow such rules shall subject the visitor to removal from the grounds, arrest and/or prosecution.

Source. (See Revision Note at chapter heading for Cor 300) #7448, eff 2-6-01; ss by #9383, INTERIM, eff 2-3-09, EXPIRES: 8-3-09; ss by #9508, eff 7-8-09

Cor 305.04 Debarment from Departmental Facilities. Visitors or others who fail to follow the rules pertaining to departmental facilities or areas shall be barred from re-entry thereon by the commissioner, or person in charge of the facility or their agent, by notifying them in person or in writing of the debarment, the reasons therefore, and the duration of the debarment. Persons found to be in violation of the debarment order shall be reported to law enforcement authorities for possible prosecution under the provisions of RSA 635:2, or other appropriate statutes. All debarred persons shall have the right of appeal pursuant to Cor 200.

Source. (See Revision Note at chapter heading for Cor 300) #7448, eff 2-6-01; ss by #9383, INTERIM, eff 2-3-09, EXPIRES: 8-3-09; ss by #9508, eff 7-8-09

Cor 305.05 Permission to Re-Enter. Persons desiring to re-enter departmental facilities once being removed or debarred, shall not re-enter said facilities without filing a complaint pursuant to Cor 200 and/or requesting the commissioner of corrections or his designee to have the visits restored. The commissioner or designee shall render a written decision based on an assessment of future risks, rehabilitative needs of the inmate or patient and security of the institution.

Source. (See Revision Note at chapter heading for Cor 300) #7448, eff 2-6-01; ss by #9383, INTERIM, eff 2-3-09, EXPIRES: 8-3-09; ss by #9508, eff 7-8-09

PART Cor 306 CONTROL OF CONTRABAND ON DEPARTMENTAL PROPERTY

Cor 306.01 Contraband.

(a) Items identified as contraband shall fall into 2 general categories:

- (1) Items not allowed anywhere on departmental property; and
- (2) Items not allowed inside departmental facilities that must be secured either in a visitor's vehicle or within a locker available in a visitor reception area.

(b) Contraband items not allowed anywhere on departmental property shall consist of the following:

- (1) Any substance or item whose possession is unlawful for the person or the general public possessing it;
- (2) Any explosive device, bomb, grenade, dynamite or dynamite cap or detonating device including primers, primer cord, explosive powder or similar items or simulations of these items; and
- (3) Lock-picking kits or tools or instructions on picking locks, making keys or making surreptitious entry or exit.

(c) Neither visitors from the general public nor DOC employees shall be permitted to have in their possession items not allowed anywhere on departmental property.

(d) Contraband not allowed inside departmental facilities shall include the following:

- (1) Any firearm, simulated firearm, or device designed to propel or guide a projectile against a person, animal or target;
- (2) Any bullets, cartridges, projectiles or similar items designed to be projected against a person, animal or target;
- (3) Any drug item, whether medically prescribed or not, in excess of a one day supply or in such quantities that a person would suffer intoxication or illness if the entire available quantity were consumed alone or in combination with other available substances;
- (4) Any intoxicating beverages;

- (5) Knives and knife-like weapons;
- (6) Clubs and club-like weapons;
- (7) Maps of the prison vicinity or sketches or drawings or pictorial representations of the facilities, its grounds or its vicinity;
- (8) Sums of money or negotiable instruments in excess of \$100;
- (9) Pornography or pictures of visitors or prospective visitors undressed;
- (10) Radios capable of monitoring or transmitting on the police band in the possession of other than law enforcement officials;
- (11) Identification documents, licenses and credentials not in the possession of the person to whom properly issued;
- (12) Ropes, saws, grappling hooks, fishing line, masks, artificial beards or mustaches, cutting wheels, or string, rope or line impregnated with cutting material, or similar items to facilitate escapes;
- (13) Balloons, condoms, false-bottomed containers, or other containers which could be used to facilitate transfer of contraband; and
- (14) Tobacco products, except those secured in a visitor's locked vehicle.

(e) Visitors from the general public, and DOC staff, when the items are not owned or issued by the department, shall secure items that are not allowed inside any departmental facility either in a visitor's vehicle or within a locker available in a visitor reception area.

Source. (See Revision Note at chapter heading for Cor 300) #7448, eff 2-6-01; ss by #9383, INTERIM, eff 2-3-09, EXPIRES: 8-3-09; ss by #9508, eff 7-8-09

Cor 306.02 Contraband on Departmental Property Prohibited. The possession, transport, introduction, use, sale or storage of contraband on departmental property shall be prohibited under the provisions of RSA 622:24 and RSA 622:25.

Source. (See Revision Note at chapter heading for Cor 300) #7448, eff 2-6-01; ss by #9383, INTERIM, eff 2-3-09, EXPIRES: 8-3-09; ss by #9508, eff 7-8-09

Cor 306.03 Searches and Inspections Authorized.

(a) Any person or possessions on departmental property shall be subject to search to discover contraband. Searches shall be necessary to prevent the introduction of contraband into the facilities and the hands of inmates and patients and to prevent escapes, violence and situations where violence is likely. Travel onto departmental property shall constitute implied consent to search for contraband pursuant to RSA 622:24-25, and RSA 622:39. In such cases where implied consent exists, the visitor shall be given a choice of either consenting to the search or immediately leaving departmental property. Nothing in Cor 306.03, however, shall prevent non-consensual searches in situations where probable cause exists to believe that the visitor is or has attempted to introduce contraband into a departmental facility pursuant to the laws of New Hampshire concerning search, seizure and arrest or otherwise authorized by law.

(b) All motor vehicles parked on departmental property shall be locked and have the keys removed. Correctional personnel shall check to insure that vehicles are locked and shall visually inspect the plain view interiors of the vehicles. Vehicles discovered to be unlocked shall be searched to insure that no contraband is present. Contraband discovered during searches shall be confiscated as evidence and turned over to law enforcement authorities for use in possible prosecution.

(c) All persons entering departmental facilities to visit with inmates, patients or staff, or to perform services at the facilities or to tour the facilities shall be subject to having their persons checked for contraband. In order to minimize the scope of such searches, items not needed for the visit such as purses, coats and other baggage shall be left either in the vehicles or in the small lockers provided. All items and clothing carried into the institution waiting area shall be searched for contraband. Items left at the storage area shall be

subject to inspection and search. Contraband seized shall be retained as evidence and turned over to law enforcement authorities for possible prosecution.

(d) Departmental employees shall be subject to search as follows:

(1) General searches of groups of employees shall be scheduled with prior approval of the chief administrator of the facility where the employees are assigned or designee. General searches shall not be subject to the probable cause standard for individual searches as set forth below. Such searches shall be limited to contents of pockets and bags or other items used to carry personal belongings unless otherwise authorized by the chief administrator of the facility or designee; and

(2) Individual searches of employees who are not part of a group being searched during a general search, shall be conducted when there is probable cause to do so with the approval of the chief administrator of the facility or a staff member named as acting chief administrator. Based upon the information used to determine probable cause, such searches can include such measures as pat searches, strip searches or cavity searches.

(3) Such searches, pursuant to (2) above, shall be subject to the following:

a. Individual employees shall not be searched by a person of lower rank or the opposite sex; and

b. Such searches shall only be conducted when the chief administrator of the facility is satisfied there is reason to believe the employee is in possession of contraband or unauthorized property.

(e) When reliable information exists from informants or law enforcement agencies that a visitor is expected to deliver contraband to an inmate or patient, the visitor shall be offered the opportunity to choose to be searched, including strip searched and a viewing of body cavities, or not to enter the facility. Since such searches are unpleasant and time consuming for all involved, they shall be required only on the authority of the chief of security, chief administrator of the facility or higher authority on a special need basis where such apparently reliable information clearly mandates the need for contraband exclusion. Such searches shall be accomplished by 2 or more staff members of the same sex as the person to be searched and shall be done out of the public view.

Source. (See Revision Note at chapter heading for Cor 300) #7448, eff 2-6-01; ss by #9383, INTERIM, eff 2-3-09, EXPIRES: 8-3-09; ss by #9508, eff 7-8-09

Cor 306.04 Inspection of Material Subject to Attorney-Client Privilege.

(a) Material the confidentiality of which is protected by attorney-client privilege shall be, nevertheless, subject to some inspection, as outlined below, to insure the absence of contraband. The interest of inmates and patients and attorneys in maintaining the confidentiality necessary to effectuate legal representation shall be accommodated to the maximum extent possible consistent with the facility's need to insure internal security.

(b) Prior to entering a departmental facility, all visiting attorneys and other persons designated in writing by the attorney as his/her agent, such as paralegals, law clerks, or private investigators, shall be required to certify in writing that no written or other contraband is contained in any material brought into the facility by the attorney or the attorney's agent.

(c) Prior to entering a departmental facility, all visiting attorneys and other persons designated in writing by the attorney as his/her agent, such as paralegals, law clerks, private investigators, shall submit their persons and all books, briefcases, folders, files or other containers of whatever description being carried by them to a search by the appropriate officer.

(d) Prior to any search, the attorney or his/her agent shall designate which materials in his/her possession, if any, are subject to an attorney/client privilege of confidentiality.

(e) The inspecting officer shall search all material except that designated as coming within the scope of attorney/client privilege. Material designated as privileged shall only be inspected in a manner detailed in (f) below and in the immediate presence of the visiting attorney or the attorney's agent.

(f) The inspecting officer shall not scrutinize any material designated as privileged for textual contraband. Rather, the attorney shall place the privileged material or file face down or text side down on a flat surface designated by the officer. The officer shall then touching or mechanical means inspect the privileged material to insure the absence of concealed physical contraband other than textual contraband. Such inspection shall include a page-by-page separation of and pat down of the privileged written material provided the inspected material is examined text side down and in the presence of the visiting attorney. The attorney shall insure that no attempt to read any confidential material occurs, and shall report any suspected violation to the warden or his/her agent immediately. The warden or his/her agent shall initiate immediate and appropriate administrative action against any officer violating any provision of this rule.

(g) The procedures set out herein pertaining to the inspection of privileged material sought to be introduced into a facility shall also be applicable to privileged material upon departure from the facility.

(h) Inspected legal material may be given to the inmate or patient client during the visit.

Source. (See Revision Note at chapter heading for Cor 300) #7448, eff 2-6-01; ss by #9383, INTERIM, eff 2-3-09, EXPIRES: 8-3-09; ss by #9508, eff 7-8-09



STATE OF NEW HAMPSHIRE
DEPARTMENT OF CORRECTIONS
OFFICIAL VISITOR REGISTRATION

PLEASE PRINT - ATTACH STATEMENTS OF EXPLANATION AS NEEDED. ALLOW 15 BUSINESS DAYS FOR PROCESSING
For implementation of COR 305 and COR 306 of the NH Code of Administrative Rules.

REQUIRED PERSONAL INFORMATION
STRINGENT PERSONAL DATA CONFIDENTIALITY MAINTAINED

GENDER <input type="checkbox"/> Female <input type="checkbox"/> Male	<input type="checkbox"/> Dr. <input type="checkbox"/> Mr. <input type="checkbox"/> Mrs. <input type="checkbox"/> Ms. <input type="checkbox"/> Rev. <input type="checkbox"/> _____	LEGAL NAME: First Name MI Last Name Suffix Title Entity that Registrant represents: House of Worship or Faith Community, Law Office, Social Services or Government Agency - include Name, Office Address, Phone Number:
NOTICE: All Persons Must Surrender a valid government-issued Photographic ID when entering any state correctional facility. Indicate the expected document you will surrender.		<input type="checkbox"/> Driver License <input type="checkbox"/> Agency-issued ID <input type="checkbox"/> Passport <input type="checkbox"/> Specify Other:
		Photo ID Identifier Number ID Issuing Authority or Jurisdiction
Emergency Contact Information: Name		Relationship Contact Phone

ANSWER EACH QUESTION. FULL DISCLOSURE REQUIRED FOR EACH AFFIRMATIVE ANSWER BELOW; USE ADDITIONAL PAGES AS NEEDED **

EVER CONVICTED OF ANY CRIME? ☐ NO, ☐ YES
 ARE YOU SUBJECT TO ANY ORDER OF THE COURT OR OTHER JUDICIAL AUTHORITY? ☐ NO, ☐ YES
 BEEN INCARCERATED, ON PROBATION OR PAROLE IN PAST 5 YEARS? ☐ NO, ☐ YES
 ARE YOU NOW UNDER CHARGES FOR ANY VIOLATION OF LAW? ☐ NO, ☐ YES
 FAMILY MEMBER AN INMATE WITH THE NH DOC? ☐ NO, ☐ YES, WHO
 ANY HOUSEHOLD RESIDENT UNDER SUPERVISION OF NH DOC? ☐ NO, ☐ YES, WHO
 DURING THE PAST 3 YEARS, ON ANY INMATE VISITING LIST? ☐ NO, ☐ YES, WHO
 CORRESPOND WITH OR RECEIVE PHONE CALLS FROM ANY INMATE? ☐ NO, ☐ YES, WHO

All Persons intending to be on any property of or in contact with an Offender under the supervision of the NH DOC are subject to Criminal History Records Review

To verify your identity, maintain criminal offender management standards and assure public safety, furnish all information requested below:

Are You a US Citizen? <u> </u> Yes <u> </u> No If Yes, provide Social Security # <u> </u> If No, provide Alien Registration # <u> </u> Provide Passport # <u> </u> Place of Birth <u> </u>	Driver License # <u> </u> State of Issue <u> </u> Date of Birth <u> </u>
Any Other Name(s) Ever Known by: <u> </u>	
List any other Address used in past 5 years: <u> </u>	

ALL PERSONS AND VEHICLES ARE SUBJECT TO SEARCH WITHOUT PRIOR WARNING AT NH DEPARTMENT OF CORRECTIONS FACILITIES {RSA 622: 24, 25}

I do hereby certify that all information I have provided the department on this form, and any attachments, is accurate and complete. I agree to abide by all applicable New Hampshire laws, and NH Department of Corrections rules and regulations governing persons within a state correctional facility, especially those policies relating to confidentiality. I hereby authorize a review of and full disclosure of any and all records, including criminal records, concerning myself to any duly authorized agent of the NH Department of Corrections. I also certify that any persons, agencies, or businesses who may furnish such information concerning me shall be held harmless for releasing said information. I understand such review is required before I am allowed to enter/serve at any NH DOC facility and that refusal to provide all necessary information may result in 1) denial of entry and 2) denial of certification. This authority shall continue for five years from date signed unless revoked by me in writing. I recognize the potential risks with, and assume personal responsibility for, my involvement with the Department of Corrections. I will inform the NH DOC of any changes to the information furnished on this application, once approved, including change of address and phone, location or area of service, and will report any ensuing criminal arrest, conviction or related justice system matter. This application is signed under penalty of unsworn falsification pursuant to RSA 641:3.

PERSONAL
SIGNATURE

Complete both pages of this application.

DATE:

scribed and sworn to before me, in my presence, this day of , 20 .

My commission expires .

Signature

Notary Public

Print Your Name																	
PROPOSE & DATES OF DOC CONTACT	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="2" style="text-align: center; padding: 5px;">WHAT NH DOC FACILITIES</th> </tr> <tr> <th style="width: 50%; padding: 5px;">State Prisons & Institutions</th> <th style="width: 50%; padding: 5px;">Transitional Housing/Work Centers & Field Services</th> </tr> <tr> <td style="padding: 5px;"><input type="checkbox"/> NH State Prison for Men (Concord)</td> <td style="padding: 5px;"><input type="checkbox"/> Calumet House (Manchester)</td> </tr> <tr> <td style="padding: 5px;"><input type="checkbox"/> NH State Prison for Women (Goffstown)</td> <td style="padding: 5px;"><input type="checkbox"/> North End House (Concord)</td> </tr> <tr> <td style="padding: 5px;"><input type="checkbox"/> Lakes Region Facility (Laconia)</td> <td style="padding: 5px;"><input type="checkbox"/> Transitional Work Center (Concord)</td> </tr> <tr> <td style="padding: 5px;"><input type="checkbox"/> Northern NH Correctional Facility (Berlin)</td> <td style="padding: 5px;"><input type="checkbox"/> Shea Farm (Concord)</td> </tr> <tr> <td style="padding: 5px;"><input type="checkbox"/> Residential Treatment/Secure Psych. Unit (Concord)</td> <td style="padding: 5px;"><input type="checkbox"/> Probation-Parole District Office:</td> </tr> <tr> <td style="padding: 5px;"><input type="checkbox"/> Central Office/HQ (Concord)</td> <td style="padding: 5px;">Office Locations:</td> </tr> </table>	WHAT NH DOC FACILITIES		State Prisons & Institutions	Transitional Housing/Work Centers & Field Services	<input type="checkbox"/> NH State Prison for Men (Concord)	<input type="checkbox"/> Calumet House (Manchester)	<input type="checkbox"/> NH State Prison for Women (Goffstown)	<input type="checkbox"/> North End House (Concord)	<input type="checkbox"/> Lakes Region Facility (Laconia)	<input type="checkbox"/> Transitional Work Center (Concord)	<input type="checkbox"/> Northern NH Correctional Facility (Berlin)	<input type="checkbox"/> Shea Farm (Concord)	<input type="checkbox"/> Residential Treatment/Secure Psych. Unit (Concord)	<input type="checkbox"/> Probation-Parole District Office:	<input type="checkbox"/> Central Office/HQ (Concord)	Office Locations:
WHAT NH DOC FACILITIES																	
State Prisons & Institutions	Transitional Housing/Work Centers & Field Services																
<input type="checkbox"/> NH State Prison for Men (Concord)	<input type="checkbox"/> Calumet House (Manchester)																
<input type="checkbox"/> NH State Prison for Women (Goffstown)	<input type="checkbox"/> North End House (Concord)																
<input type="checkbox"/> Lakes Region Facility (Laconia)	<input type="checkbox"/> Transitional Work Center (Concord)																
<input type="checkbox"/> Northern NH Correctional Facility (Berlin)	<input type="checkbox"/> Shea Farm (Concord)																
<input type="checkbox"/> Residential Treatment/Secure Psych. Unit (Concord)	<input type="checkbox"/> Probation-Parole District Office:																
<input type="checkbox"/> Central Office/HQ (Concord)	Office Locations:																

OPTIONAL Personal Contact Information

Mailing Address	Town	State	Zip Code+4
Telephone Home #	Work #	Work Ext. #	Cell or mobile #
Email address			

Complete Page 1 & above. Only complete the following section related to your Official Visitation purpose**☐ ATTORNEY AT LAW**

Please verify current membership the New Hampshire Bar Association	
Certification as Legal Representative for following Inmate (s) print Name(s), ID #, Housing	
Expected duration of legal representation	Affirmation

☐ CLERGY OR OFFICIAL RELIGIOUS DELEGATE

The PRIVILEGE of SPIRITUAL CARE VISITATION is limited to the VISITING ROOM ONLY for individual inmate contact during established visitation schedule at state prisons, institutions or correctional centers. Clergy Applicant, or designated representative of a faith community, must attach a letter from affiliated ecclesiastic authority specifying an endorsement of religious qualification, preparation, experience and competence for spiritual care and pastoral counseling of criminal offender(s) incarcerated within the NH state prison system.

DO NOT complete this form if you intend a voluntary ministry to multiple criminal offenders through group religious study, corporate worship, or other temporal activity with offenders. Obtain and submit a CITIZEN INVOLVEMENT APPLICATION and attend an orientation for approval as an authorized Volunteer. A person may not be designated as both an official visitor and an authorized volunteer by the New Hampshire Department of Corrections.

☐ GOVERNMENT INTER-AGENCY OFFICIAL

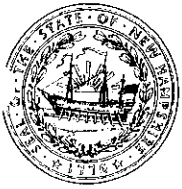
An employee, or elected or appointed official, of the Federal, State of New Hampshire, or a local government unit, acting in their official capacity	
Jurisdiction or Agency Represented	
Administrator or Supervisor	Phone
Function or Purpose of Inmate Visitation	

☐ SOCIAL SERVICE ORGANIZATION REPRESENTATIVE

Any employee or agent of a non-government community organization acting in their official capacity

Name of Non-Profit Agency or Social Services Organization	
Head Administrator & Office Address	Office Phone
Agency Mission or Purpose	
Anticipated Benefit to Criminal Offenders	

The New Hampshire Department of Corrections shall grant **OFFICIAL VISITOR** authorization for a term not exceeding three (3) years.
This authorization may be renewed upon satisfactory renewal application and credentialing.



**STATE OF NEW HAMPSHIRE
DEPARTMENT OF CORRECTIONS**

William Wrenn,
Commissioner

(PLEASE USE THE APPROPRIATE FACILITY LETTER HEAD)

FAX:
TDD Access: 1-800-735-2964

Dear Sir/ Madam:

You are receiving this form because _____, an inmate of the New Hampshire Department of Corrections is requesting you to be placed on his/her approved visitor list. In order for you to be placed on this list, a criminal background check must be conducted. Please fill out this form, have it notarized, and return it to the respective inmate.

The Criminal Records Central Repository collects and distributes criminal history record information (CHRI). CHRI consists of descriptions and notations of arrests, detentions, indictments, information, formal criminal charges and subsequent dispositions. CHRI is forwarded to the repository from criminal justice agencies throughout the state. In addition, the repository tracks information pertaining to sentencing, correctional supervision and release.

Several tiers of rules govern the collection and dissemination of CHRI including the Code of Federal Regulations, the New Hampshire Code of Administrative Rules and state statutes to include RSA 106-B:14 and RSA 106-B:7 (b). Based upon these rules, law enforcement personnel, or an individual requesting his or her own CHRI, will receive both non-conviction and conviction data. Additionally, any individual or agency may receive the CONVICTION INFORMATION of another, provided they produce a notarized CRIMINAL RECORD RELEASE AUTHORIZATION FORM signed by the individual whose record is sought. To assist you in this transaction, I have enclosed this copy of the required CRIMINAL RECORD RELEASE AUTHORIZATION FORM. *FAX OR TELEPHONE REQUESTS WILL NOT BE ACCEPTED.*

USE TYPE OR PRINT CLEARLY. ALL INFORMATION IN THIS SECTION MUST BE COMPLETED

NAME _____
LAST (MAIDEN / ALIAS) FIRST MI

ADDRESS _____
STREET CITY STATE ZIP CODE

DATE OF BIRTH _____ HAIR COLOR _____ EYE COLOR _____ SEX _____
MM/DD/YYYY

Are you currently under Probation or Parole supervision in NH or any other State ? Yes No

If yes, where? _____

DRIVER LICENSE NUMBER _____ STATE _____

YOUR SIGNATURE _____ DATE _____
SIGNED UNDER PENALTY OF UNSWORN FALSIFICATION PURSUANT TO RSA 641:3

Subscribed and sworn to before me, in my presence, this _____ day of _____, 20____.

County of _____ State of _____

My commission expires _____, 20____

(Signature) Notary Public